

<b>Notice of Allowability</b>	Application No.	Applicant(s)
	10/072,885	SHANKS ET AL.
	Examiner	Art Unit
	Lam P. Pham	2636

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address--*

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 12/7/2005.
2.  The allowed claim(s) is/are 1-22, 66-75, (1-32).
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*    c)  None    of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 9/19/05 12/21/04
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

***Allowable Subject Matter***

1. Claims 1-22, 66-75 allowed, renumbered as 1-32.

2. The following is an examiner's statement of reasons for allowance:

No prior art fairly teach or suggest a method (claim 1) in a radio frequency identification tag device for controlling an operating state of the tag device using a reader, wherein the operating state is chosen from a plurality of possible states, comprising the steps of:

(a) receiving a symbol from the reader when the operating state is a present state, wherein a first pulse width for the received symbol represents a first data value, and a second pulse width for the received symbol represents a second data value;

(b) determining a new state for the operating state based upon the received symbol and present state; and

(c) transitioning the operating state from the present state to the determined new state.

No prior art fairly teach or suggest a method (**claim 8**) in a radio frequency identification (R.FID) tag device for controlling an operating state of the tag device using a reader, comprising the steps of:

receiving a symbol from the reader; and

determining a new state for the operating state of the tag device, wherein said determining step includes the steps of:

- (a) allowing the operating state to remain in a first state if the operating state is the first state when the symbol is received,
- (b) transitioning the operating state to the first state if the operating state is a second state when the symbol is received,
- (c) transitioning the operating state to a third state if the operating state is a fourth state when the symbol is received, and
- (d) transitioning the operating state to the first state if the operating state is a fifth state when the symbol is received.

No prior art fairly teach or suggest a method (**claim 14**) in a radio frequency identification tag device for controlling an operating state of the tag device from a reader, comprising the steps of:

receiving a symbol from the reader; and

determining a new state for the operating state of the tag device, wherein said determining step includes the steps of:

- (a) if the operating state is a first state when the symbol is received in said receiving step, performing the following steps:
  - (1) transitioning the operating state to a second state if a value of the received symbol is a first data value, and
  - (2) transitioning the operating state to a third state if the value of the received symbol is a second data value;
- (c) allowing the operating state to remain the third state if the

operating state is the third state when the symbol is received in said receiving step ;

(d) if the operating state is the second state when the symbol is received in said receiving step, performing the following steps'.

- (1) allowing the operating state to remain the second state if the received symbol matches a present tag identification bit, and
  - (2) transitioning the operating state to a fourth state if the received symbol does not match the present tag identification bit; and
- (e) allowing the operating state to remain the fourth state if the operating state is the fourth state when the symbol is received in said receiving step.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

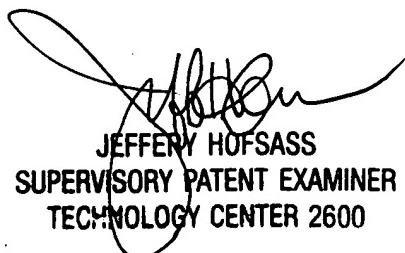
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lam P. Pham whose telephone number is 571-272-2977. The examiner can normally be reached on 9AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery A. Hofsass can be reached on 571-272-2981. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lam Pham  
January 28, 2006.



JEFFERY HOFSSASS  
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